	1
	2
	3
	4
	5
	6
١	7
,	8
	9
L	0
L	1
L	2 3
L	3
L	4
L	5
Ļ	6
L	7
	8
L	9
2	0
2	1
2	2
2	3 4
2	4
	5
2	6
2	7
2	8
	_

	Pub. Imp Govt. Gmt Emer IPO Required <u>NO</u> P. Hrngs.
	Pgs
Sponsored by: Whayne	
First Reading:	Second Reading:
COUNCIL BILL NO. 2003 - 378	SPECIAL ORDINANCE NO.

#### AN ORDINANCE

AUTHORIZING the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield as shown on the Preliminary Plat of CATALPA STATION, generally located at the northeast corner of Oak Grove Avenue and Catalpa Street, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance. (Planning and Zoning Commission and staff recommend approval).

WHEREAS, on November 6, 2003, the Planning and Zoning Commission of the City of Springfield, Missouri, approved the preliminary plat of CATALPA STATION, generally located at the northeast corner of Oak Grove Avenue and Catalpa Street, as a subdivision of the City of Springfield, Greene County, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as follows:

Section 1 - The City Council hereby authorizes the Director of Planning and Development on behalf of the City of Springfield, Missouri, to accept the land or easements dedicated to the City of Springfield for public use as shown on Exhibit "A," upon the subdivider filing and recording a final plat in accordance with the Subdivision Ordinance of the City, which plat shall substantially conform to Exhibit "A," and hereby authorizes acceptance of the public improvements required by this ordinance and the Subdivision Ordinance of the City, upon the Director of Public Works certifying to the Director of Planning and Development and the City Clerk that the public improvements have been made in accordance with City standards and specifications.

Section 2 - The final plat shall not be recorded until the public improvements set out in the Planning and Zoning Commission report, relating to said plat shown as Exhibit "A," shall have been constructed by the person or party subdividing the property according to the specifications of the City of Springfield, Missouri, and to the approval of the Director of Public Works of the City; and provided that said party shall have paid to the City of Springfield engineering fees, permit fees, licenses and other fees occasioned by the construction of said improvements; or, in lieu of the construction of said improvements, that said parties have filed with the City Manager, according to the terms of the Subdivision Ordinance of the City, the prescribed financial assurances to insure the construction of said improvements, and the payment to the City of Springfield of all engineering fees, permit fees, licenses and other fees occasioned or which will be occasioned by the construction of the improvements.

 Section 3 - That upon compliance with all the requirements of this ordinance, the City Clerk is hereby authorized to endorse the Council's approval upon the final plat pursuant to Section 445.030, RSMo 2000.

Section 4 - That should said parties fail to submit a final plat for the subdivision or portion thereof which substantially conforms to the preliminary plat within 730 days from the date of this ordinance, then this ordinance shall be of no effect and shall be considered void.

Passed at meeting:	· ·	
	Mayor	· ·
Attest:	, City Clerk	
Approved as to form: There	and Vanden Backs	, City Attorney
Approved for Council action:	Frie	, City Manager

C:\Documents and Settings\bcirtin\Local Settings\Temporary Internet Files\OLKAB\catalpa station dedication of pub st.wpd

Affected Agency Notified: Yes Emergency Required: No Budget Adjust. Required: No

Budget Adjust. Required: IPO Required: No

Board Rec. Required: Yes

No

Public Hearing:

Sponsor: Whayne

Date: November 7, 2003

#### **EXPLANATION TO COUNCIL BILL NO. 2003 -**

**ORIGINATING DEPARTMENT:** Planning and Development

PURPOSE: To accept the dedication of the public streets and easements as shown on the Preliminary Plat of CATALPA STATION, generally located at the northeast corner of Oak Grove Avenue and Catalpa Street. (Planning and Zoning Commission has approved the Preliminary Plat and both Commission and staff recommend that City Council accept the public streets and easements.)

#### **BACKGROUND INFORMATION:**

- 1. See the legal description set forth on the Preliminary Plat of CATALPA STATION dated October 7, 2003 attached as Exhibit A.
- 2. At the meeting, a memo from Traffic Engineering was read that indicated they met with the developers of both this subdivision and Elmwood Place Phase 2 on the day of the meeting. "Upon review and discussion with the developers, it came to the attention of Traffic Engineering that the street connection would impact the detention area of Catalpa Station where it would create a loss of lots and we feel this would be a hardship on the developers at this time." Therefore, Traffic Engineering withdrew their request for a street connection between Ventura Avenue and Delmar Street.
- 3. The Planning and Zoning Commission approved the preliminary plat without the street connection between Ventura Avenue and Delmar Street. The approved preliminary plat is attached as Exhibit A.

#### **RECOMMENDATIONS:**

The Planning and Zoning Commission held a public hearing on November 6, 2003 and recommended approval of the proposed preliminary plat by a vote of 7 to 0, subject to the following conditions:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of

the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.

- a. Public sanitary sewers shall be extended to all building sites.
- b. Sidewalks, in accordance with the *Subdivision Regulations*, shall be constructed along the East side of Oak Grove, the North side of Catalpa Street and on one side of all internal streets.
- c. The east detention basin shall discharge to a public right-of-way, drainage easement or certified natural drainage channel.
- 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
  - a. No driveways shall be permitted to either Catalpa Street or Oak Grove Avenue from any abutting lot.
  - b. Additional right-of-way shall be dedicated for both Catalpa Street and Oak Grove Avenue to total thirty-five (35) feet from the centerline of each street. A fifty (50) foot by fifty (50) foot right-of-way triangle shall be dedicated at the intersection of the new rights-of-way lines for Catalpa and Oak Grove.
  - c. A ten (10) foot wide utility easement shall be dedicated along the street side of all lots. The 4-inch, high-pressure plastic gas main runs along the southern property line and any related easements shall be preserved.
  - d. The exact sinkhole and drainage easement limits shall be defined on the final plat based on storm water and geologic studies and shall be labeled as sinkhole limits and drainage easement. No buildings, fences or fill shall be permitted within these areas.
- 3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
- 4. A planting-screen reservation of at least ten feet, and across which there shall be no right of access, shall be provided along the line of lots abutting Oak Grove Avenue and Catalpa Street. A solid fence or other improvement (including walls, plantings, open fencing and plantings, or berms) shall be built and shall be depicted on the preliminary plat and installed by the subdivider within said reservation.
- 5. The developer shall be responsible for the relocation costs of any existing utility

services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.

- 6. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Code.
- 7. All other requirements which are necessary for this subdivision to be in compliance with the *Subdivision Regulations*.

All required improvements shall be the sole responsibility of the subdivider. As prescribed by Section No. 300 of the Subdivision Regulations, the improvements shall be made or guaranteed by means of bond or escrow agreement. Release of the final plat for recording shall be withheld until the subdivider has complied with this section.

Section No. 206 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's approval of the Preliminary Plat.

Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

Submitted by:

Approved by:

Planning and Development

relopment | City Manage

CatalSta\_exp.wpd

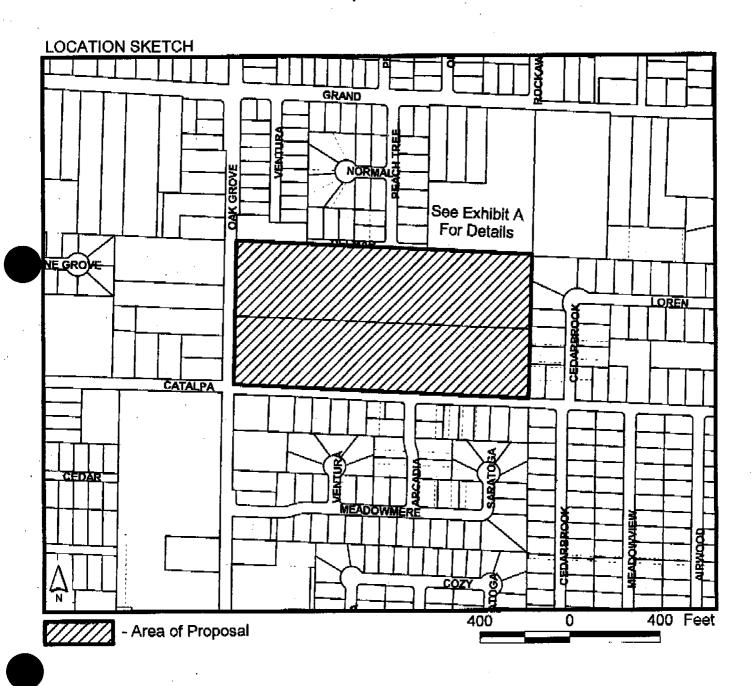


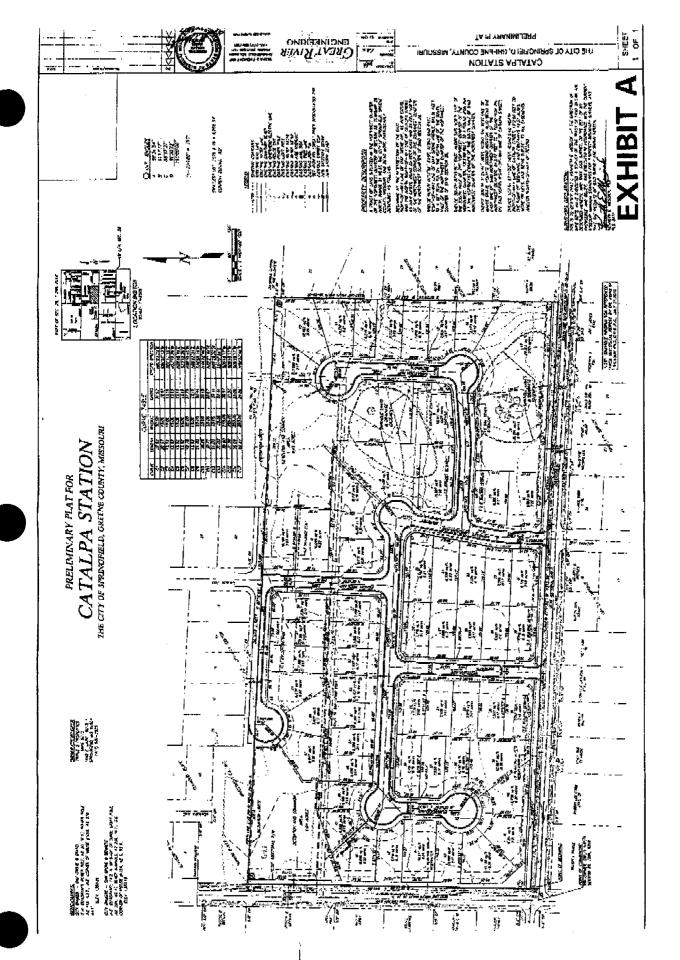
### **Zoning & Subdivision Report**

Planning & Development - 417/864-1611 840 Boonville Avenue - Springfield, Missouri 65801

### **Preliminary Plat - Catalpa Station**

Location: North side 2600 - 2700 East Catalpa







### Zoning & Subdivision Report

Planning & Development Department - 417/864-1611 840 Boonville Avenue - Springfield, Missouri 65801

#### PRELIMINARY PLAT - CATALPA STATION

DATE:

October 31, 2003

PURPOSE:

To approve a preliminary plat to subdivide more than 19 acres into a sixty-one

lot single family residential subdivision.

#### BACKGROUND:

LOCATION:

North side 2600-2700 block East Catalpa Street

APPLICANT:

Triple S Properties

TRACT SIZE: 19.37 acres

EXISTING USE: Undeveloped land

PROPOSED USE: A 61 lot single family residential subdivision

#### RECOMMENDATION:

The request be approved, and if approved, the conditions listed below shall govern and control the subdivision of the land shown on Exhibit A and recommends that City Council accept the public streets and easements.

If the Planning and Zoning Commission decides that Delmar Street should be extended to connect Catalpa Station and Elmwood Place Phase 2, then both preliminary plats should be tabled and the public hearing continued to allow both preliminary plats to be redrawn.

#### FINDINGS:

The applicant's proposal, with the conditions listed below, is consistent with the City's Subdivision Regulations.

#### CONDITIONS:

All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers

unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.

- a. Public sanitary sewers shall be extended to all building sites.
- b. Sidewalks, in accordance with the Subdivision Regulations, shall be constructed along the East side of Oak Grove, the North side of Catalpa Street and on one side of all internal streets.
- c. The east detention basin shall discharge to a public right-of-way, drainage easement or certified natural drainage channel.
- 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
  - No driveways shall be permitted to either Catalpa Street or Oak Grove Avenue from any abutting lot.
  - Additional right-of-way shall be dedicated for both Catalpa Street and Oak
    Grove Avenue to total thirty-five (35) feet from the centerline of each street.
    A fifty (50) foot by fifty (50) foot right-of-way triangle shall be dedicated at
    the intersection of the new rights-of-way lines for Catalpa and Oak Grove.
  - c. A ten (10) foot wide utility easement shall be dedicated along the street side of all lots. The 4-inch, high-pressure plastic gas main runs along the southern property line and any related casements shall be preserved.
  - d. The exact sinkhole and drainage easement limits shall be defined on the final plat based on storm water and geologic studies and shall be labeled as sinkhole limits and drainage easement. No buildings, fences or fill shall be permitted within these areas.
- 3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
- 4. A planting-screen reservation of at least ten feet, and across which there shall be no right of access, shall be provided along the line of lots abutting Oak Grove Avenue and Catalpa Street. A solid fence or other improvement (including walls, plantings, open fencing and plantings, or berms) shall be built and shall be depicted on the preliminary plat and installed by the subdivider within said reservation.
- 5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.

- 6. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Code.
- 6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.

#### STAFF CONTACT PERSON:

K. A. Giles Associate Planner (417) 864-1614

CatalpStaRev.wpd

# ATTACHMENT A BACKGROUND REPORT PRELIMINARY PLAT - CATALPA STATION

#### APPLICANT'S PROPOSAL:

The applicant proposes to subdivide 19.37 acres into a 61 lot single family residential subdivision.

#### HISTORY:

- 1. The preliminary plat of Catalpa Station was approved by the Planning and Zoning Commission on July 10, 2003 and City Council accepted the streets and easements on August 11, 2003.
- 2. After the approval of the preliminary plat, the developer hired Dr. Ken Thompson to do a sinkhole report on the property. Dr. Thompson discovered two sinkholes on the property which did not appear on any of the city's (or Dr. Thompson's) records. The final plat had to be redesigned to avoid the sinkholes. The redesign changed the street and lotting pattern in the eastern portion of the subdivision. Due to the neighborhood controversy surrounding this case, staff was reluctant to approve the final plat without offering both the Planning and Zoning Commission and the area residents an opportunity to see and comment on the changes.
- 3. The Planning and Zoning Commission held a public hearing on the final plat on September 25, 2003 and tabled it for corrections. Subsequently, the City Attorney's office rendered an opinion that the proposed final plat must be returned to the Planning and Zoning Commission for approval and to City Council to accept the revised rights-of-way.

#### SANITARY SEWER COMMENTS:

1. Public sanitary sewer must be extended to all proposed lots prior to occupancy.

#### FIRE DEPARTMENT COMMENTS:

1. Fire hydrants are required every 300 hundred feet.

#### CITY UTILITIES COMMENTS:

- 1. A ten foot wide utility easement is required on the street side of all lots.
- 2. In the northwest detention basin, care should be taken in design of the outlet structure to avoid an existing 14-inch welded-steel, high-pressure gas main. Any relocation work will be at the developer's expense.

3. A 4-inch, high-pressure plastic gas main runs along the southern property line. Please preserve this utility and any related easements.

#### SOUTHWESTERN BELL TELEPHONE COMMENTS:

1. Please provide 10 foot wide utility easements along all rear lot lines.

#### **STAFF COMMENTS:**

- The original preliminary plat had Saratoga Avenue intersecting with Catalpa Street and Arcadia Avenue was a cul-de-sac. In the new preliminary plat (Exhibit A) Saratoga Avenue is a cul-de-sac which extends further north than in the original preliminary plat, and Arcadia Avenue intersects with Catalpa Street directly across from the existing intersection with Arcadia to the south of Catalpa. The new preliminary plat shows Loren Street with a jog at Arcadia where the street was straight on the previous preliminary plat. The new preliminary plat also has six lots on Delmar opposite the existing homes while the original preliminary plat showed only four lots. The new preliminary plat has 61 lots, while the original preliminary plat had 68 lots. Although the new preliminary plat has the same number of lots along the eastern plat boundary as the original preliminary plat, they are wider lots. Staff feels it is a positive change for Arcadia Avenue to align with the street segment on the south side of Catalpa rather than further cast at Saratoga as it was shown on the preliminary plat. Relocating the street means the existing homes on the south side of Catalpa will not have headlights shining in their windows. It is also a positive change that the total number of lots has been reduced. This results in slightly less traffic. Saratoga will extend further north which means that the northernmost existing lot on the west side of Cedarbrook will have a house behind it rather than the detention basin as shown on the original preliminary plat.
- Traffic Engineering does not support the cul-de-sac at the western end of Delmar Street 2. (see Attachment B for the full comments). The decision to not connect Delmar with Ventura or Oak Grove Avenues was made with the submission of the first preliminary of Catalpa Station. Part of the subdivision drains to the northwest corner where Delmar Street would be located. The property is extremely flat and the developer's engineer calculated that if Delmar (and the associated fill) was extended through where the detention had to be located, that the detention would not be large enough and it would mean losing a number of buildable lots which the developer could not afford to do and still pay for the public improvements. At that time, Traffic Engineering did not express their concern about the lack of interconnectivity between these two subdivisions. The preliminary plat of Catalpa Station was approved. When the developer of Elinwood Place Phase 2 submitted that subdivision for review by the Administrative Review Committee, Traffic Engineering did not express their concern about the lack on interconnectivity between the two subdivisions. The developer proceeded with the preliminary plat for Elmwood Place Phase 2. Now that changes in the preliminary plat of Catalpa Station are causing that preliminary plat to be re-approved, it happens that both preliminary plats are scheduled to appear on the same Planning and Zoning Commission agenda and Traffic Engineering is concerned about the lack of

interconnectivity between the two subdivisions.

- 3. Staff has discussed the situation regarding the detention area on Catalpa Station with the Public Works Stormwater Division. It appears that the extension of Delmar to connect Ventura with Peachtree would be physically possible. It would require revisions to the stormwater plans for Catalpa Station and would require the detention area to be shifted further to the south.
- 4. If Planning Commission feels that the connection of Delmar in both this subdivision and Elmwood Place Phase 2 is needed to Ventura, staff recommends that both plats be tabled and redesigned to accommodate the needed rights-of-way.
- 5. With the conditions listed in the staff report, the applicant's request meets the requirements of the City's Subdivision Regulations.

## ATTACHMENT B STREET SYSTEM REPORT PRELIMINARY PLAT - CATALPA STATION

#### STREET SYSTEM:

STREET	FUNCTIONAL CLASS	EXISTING R.O.W.	REQUIRED R.O.W.	R.O.W. DEDICATION	IMPROVEMENTS REQUIRED
Catalpa	Secondary Arterial	60 ft.	70 ft.	35 ft. from c/l	Sidewalk on North side.
Oak Grove	Secondary Arterial	50 ft.	70 ft.	35 ft. from c/l and 50 ft. x 50 ft. r/w triangle at intersection with Catalpa	none
Delmar	Local Residential	25 ft.	50 A.	Additional 25 ft. west of Peach Tree & 50 ft. radius cul-de-sac at western terminus	Improve to city standards. Sidewalk on one side.
Internal Streets	Local Residential	0 ft.	50 ft.	50 ft.	Improve to city standards. Sidewalk on 1 side of internal streets

#### TRAFFIC ENGINEER:

Traffic Engineering does not support the cul-de-sac at the end of Delmar Street toward
the western side of the development. Delmar Street needs to be constructed Public
Works residential street standards to the western property line and a portion of Delmar
Street needs to be constructed to connect to Ventura Ave. The developer needs to work
with the developers of Elmwood Place Phase 2 in the construction of Delmar Street. This
will allow for connectivity of Ventura Avenue and Delmar Street and the neighborhoods.

#### ACCESS TO ADJOINING STREETS:

1. No driveways are permitted to either Catalpa Street or Oak Grove Avenue from any abutting lot. All other driveways will be in accordance with the City's driveway regulations.

#### SIDEWALKS:

1. Sidewalks are required on both the north side of Catalpa Street and the east side of Oak Grove Avenue because both streets are classified as secondary arterials by the *Major* 

Thoroughfare Plan.

2. Sidewalks are required on one side of all internal streets because the net residential density is less than five dwelling units per acre. The original preliminary plat showed sidewalks on both sides, so that is what was included in the conditions of approval. However, the new preliminary plat shows sidewalks on only one side of the internal streets, so that is what is included in the conditions of approval, in accordance with the requirements of the Subdivision Regulations.

## ATTACHMENT C DRAINAGE REPORT PRELIMINARY PLAT - CATALPA STATION

#### SITE ANALYSIS:

The site drains generally to the north. City records indicate a large sinkhole on the property adjacent to the north/northeast. Two shallow sinkholes are located on the eastern portion of the subject property.

#### SINKHOLE STUDY:

The developer has provided a sinkhole report in accordance with the City's sinkhole ordinance. Public Works has accepted the report and the lots, streets and sinkholes are acceptable as shown on the preliminary plat.

#### DRAINAGE IMPROVEMENTS:

- 1. The developer must meet full detention and extended detention requirements for water quality.
- 2. The entire site must drain to the detention areas.
- 3. The developer must provide a sediment and erosion control plan.
- 4. The exact sinkhole and drainage easement limits will be defined on the final plat based on storm water and geologic studies.
- 5. The altered west detention area appears to be large enough based on a rule of thumb estimate. Review of the final plans will determine if it needs to be changed.
- 6. The east detention basin must discharge to a public right-of-way, drainage easement or certified natural drainage channel.